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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

CHRISTOPHER KOHLS,

*Plaintiff,*

*v.*

ROB BONTA, in his official capacity as  
Attorney General of the State of California,  
and SHIRLEY N. WEBER, in her official  
capacity as California Secretary of State,

*Defendants.*

No. 24-cv-02527-JAM-CKD

**NOTICE OF RELATED CASE**

DATE:

TIME:

JUDGE: Hon. John A. Mendez

Pursuant to Local Rule 123, Plaintiff Kohls notifies the Court of the following related case: *The Babylon Bee, LLC v. Bonta*, Case No. 24-cv-2787, filed Sept. 30, 2024. *The Babylon Bee* shares many similarities with this case. Both cases involve the same defendants: Rob Bonta and Shirley N. Weber. Both cases involve similar claims against the same California laws: First and Fourteenth Amendment claims against AB 2839 and AB 2655. Cal. Const. art. V, § 13; Cal. Elec. Code § 20516. Both cases involve plaintiffs who want to engage in speech prohibited by AB 2839, including some of the same speech. Compare V. Compl. ¶¶ 5–7, *Kohls v. Bonta*, No. 24-cv-2527 (Sept. 17, 2024), ECF No. 1 (describing fictitious Kamala Harris campaign ad), with V. Compl. ¶¶ 119–21, *The Babylon Bee*, ECF No. 1 (describing same fictitious ad). Both cases involve similar questions of law too: whether AB 2839 and AB 2655 unconstitutionally regulate the speech of everyday citizens and organizations who want to speak about the upcoming presidential election. Compare V. Compl. ¶¶ 4–16, *Kohls*, ECF No. 1, with V. Compl. ¶¶ 1–6, *The Babylon Bee*, ECF No. 1.

Plaintiffs in *The Babylon Bee* initially filed their action in the Central District of California. The Central District Court recognized that these two cases “involve[] substantially similar issues and parties.” Min. Order, *The Babylon Bee*, ECF No. 15.

This Court granted an injunction in *Kohls*, enjoining enforcement of AB 2839, a content-based regulation of speech that violated the Kohls’s First Amendment rights. Plaintiffs *The Babylon Bee, LLC*, and Kelly Chang Rickert seek the very same relief in their pending motion for a preliminary injunction. Appl. TRO or Mot. Prelim. Inj. 1–4, *The Babylon Bee*, ECF No. 12.

After this Court issued the preliminary injunction, the Central District transferred *The Babylon Bee* to the Eastern District because “the balance of factors favor[ed] transfer” and transferring the case would “serve the interests of justice and the convenience of the parties and witnesses.” Order, *The Babylon Bee*, ECF No. 33.

Given the significant overlap between these two cases in questions of fact, law, and requests for relief, and given that Your Honor has already ruled on the legal issues presented in Kohls’s motion for preliminary injunction, consolidating the related *Babylon Bee* action with Kohls’s action under Fed. R. Civ. P. 42 will likely save substantial judicial and party resources.

Dated: October 17, 2024

Respectfully submitted,

/s/ Adam E. Schulman

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**PROOF OF SERVICE**

I hereby certify that I filed a true and accurate copy of the foregoing document with the Clerk of Court using the CM/ECF system, which automatically sends an electronic notification to all attorneys of record.

DATED this 17th day of October, 2024.

/s/ Adam E. Schulman  
Adam E. Schulman